DISTRICT ATTORNEYS AND PUBLIC DEFENDER

Omnibus Motion [LFB Paper #276, 277, 278, 279, 280, 605, 606, and 607]

Motion:

Move to adopt the following items related to the District Attorneys and Public Defender:

- 1. Pay Progression (Paper #276). Adopt Alternative 2 to provide ADAs and DDAs with \$2,101,300 GPR in 2025-26 and \$3,825,600 GPR in 2026-27 for ADAs and DDAs, and \$2,070,600 GPR in 2025-26 and \$3,877,100 GPR in 2026-27 for the SPD. Funding for pay progression would be provided on a one-time basis with ongoing funding provided in the 2027-29 biennium as a standard budget adjustment.
- 2. Additional GPR Prosecutor and Converted Positions (Paper #277). Adopt Alternatives 1. 2, 3, and 4 to provide: \$3,701,400 GPR in 2025-26, \$4,935,200 GPR in 2026-27, and 47.0 GPR positions annually to provide additional ADAs; \$1,065,000 GPR, -\$943,000 PR, 8.0 GPR, and -7.0 PR positions annually, to convert funding for certain prosecutor positions from PR to GPR; \$3,063,900 GPR in 2025-26, \$3,342,500 GPR in 2026-27, and 28.5 GPR positions annually to convert FED positions; and \$285,000 GPR in 2025-26 annually to DOA's GPR appropriation for DAIT (justice information systems) for IT equipment and services for 76.5 new ADAs.
- 3. District Attorney Information Technology Program (Paper #278). Adopt Alternatives 1, 2, and 3 to provide: \$2,000,000 GPR in 2025-26 and \$1,500,000 GPR in 2026-27 in one-time funding to upgrade the prosecutor technology for case tracking system; \$1,318,700 GPR in 2025-26 and \$1,554,600 GPR in 2026-27 for the supplies and services; and \$99,600 GPR in 2025-26 and \$124,800 GPR in 2026-27 and 1.0 GPR position annually for a technical services specialist position.
- 4. District Attorney Supplies and Services and Compensation for Special Prosecutors (Paper #279). Adopt Alternatives A1 and B1 to provide: \$233,100 GPR annually to increased support for supplies and services costs of the District Attorneys; and that the special prosecutor rate be the same amount paid to an SPD private bar attorney assigned a case. This rate is currently set at \$100 per hour for time spent related to the case and \$50 per hour for travel.
- 5. County-Funded Position Support (Paper #280). Adopt Alternative 1 to provide \$212,800 in 2025-26 and \$143,400 in 2026-27 on a one-time basis to fund the DA county-funded PR positions authorized where salary and fringe benefit costs are in excess of the county funding provided.

Motion #54

- 6. Support and Administrative Staff (Paper #605). Adopt Alternative 1 to provide \$3,656,800 GPR in 2025-26 and \$3,929,700 GPR in 2026-27 and 52.5 GPR positions annually to address workload issues. Positions would include 6.5 appellate attorneys and 46.0 support staff, as follows, to reduce the amount of time staff attorneys spend on non-attorney matters: 24.0 paralegals; 9.0 investigators, 4.0 client services specialists, 7.0 legal secretaries, 1.0 human resources specialist, and 1.0 information technology specialist position. Further, specify that SPD staff and attorneys in project positions on the day before the effective date of the bill that were funded by the American Rescue Plan Act may be appointed to the permanent equivalent of those positions. Specify that the transferred employees would maintain the same state employment rights and status that they currently enjoy. In addition, specify that none of the transferred employees who have attained permanent status in class are required to serve a probationary period.
- 7. Eligibility, Private Bar Cost-to-Continue, and Compensation for Violent Felony Cases (Paper #606). Adopt Alternatives A1 and B1 to provide: \$2,271,100 GPR in 2025-26 and \$3,573,300 GPR in 2026-27 and 23.1 GPR positions annually to update the financial eligibility criteria to 115% of the 2024 (instead of 2011) federal poverty guideline to qualify for public defender representation effective July 1, 2025; and \$1,432,600 GPR in 2026-27 to increase the private bar rate paid for violent felony cases from \$100 to \$125 per hour effective July 1, 2025.
- 8. Expert Witness Services, Court Transcripts, Discovery, and Interpreter Funding (Paper #607). Adopt Alternatives 2 and 3 to provide: \$1,044,000 GPR annually to support payments for experts; and \$347,600 annually to support payments for: (a) transcripts of court proceedings; (b) discovery materials; and (c) interpreters for attorney-client communications and other case preparation.
- 9. Pilot Chips Extension (Page 533, #9). Provide an extension of the sunset date on the pilot program to provide counsel for parents of a child subject to a Child in Need of Protection or Services (CHIPS) proceeding in five counties from June, 2025, to January 1, 2027.

Note:

[Change to Base: \$23,470,900 GPR, and -\$943,000 PR in 2025-26; \$31,213,500 GPR, and -\$943,000 PR in 2026-27 and 160.1 GPR and -7.0 PR positions annually]

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